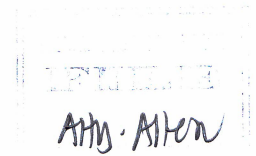


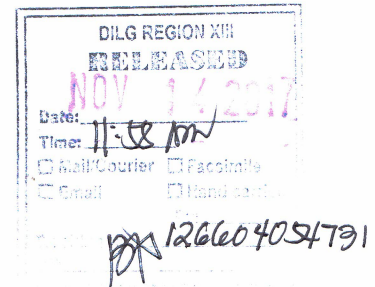
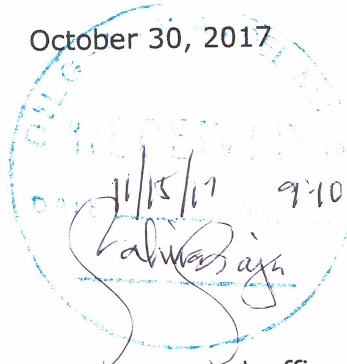


Republic of the Philippines
Department of the Interior and Local Government
Region 13 (Caraga)



October 30, 2017

KATRINA MARIE O. MORTOLA
City Mayor
Cabadbaran City
Agusan del Norte



Dear Hon. Mortola:

This refers the letter coming from your good office, addressed to USEC Austere A. Panadero, asking for legal opinion on the matter of determination of quorum and majority. This was forwarded by the Legal and Legislative Liaison Service to this level.

Please be informed that we have already instructed all our Field Operating Units to furnish the local sanggunians a copy of the **Advisory dated July 24, 2017**, subject of which is "**Determination of Quorum and the Required Majority Votes in the Local Sanggunians**". To ensure that the Sangguniang Panlungsod of Cabadbaran City, receives an official copy, and thus, be guided and shall abide by the same Advisory, we have furnished each member of the sanggunian a clear copy of the mentioned Advisory in a letter dated October 30, 2017. Also, the Sangguniang Panlalawigan of Agusan del Norte shall be furnished this letter together with the Advisory.

We would like to underscore the following points from the same Advisory, in view of the case of "**Javier, et al. vs. Cadiao, et al.**":

- 1. The Presiding Officer of the Sanggunian is counted for the purpose of determining the existence of a quorum;*
- 2. However, the Presiding Officer of the Sanggunian is not included in the counting to determine the required number of votes to uphold the matter before the Sanggunian.*

We hope to have clarified the matter which has seemingly plagued Cabadbaran City nand Agusan del Norte.

In the interest of public welfare and common good, we would like to firmly remind the Honorable Members of the Sanggunian that the issuance of advisories and legal opinions of the Department of the Interior and Local Government is in keeping the DILG's role of assisting the President of the Republic of the Philippines in the exercise of general supervision over local governments.

"Matino, Mahusay at Maaasahan"

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Thank you and God bless!

Truly yours,


LILIBETH A. FAMACION, CESO III
Regional Director

cc : PD Ellen Chua
CLGOO Annabel F. Yangson
SP Agusan del Norte
c/o Vice Governor

/amg dfi 2017-085
/amg dlo 2017-018

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